

## General Assembly

## **Amendment**

January Session, 2021

LCO No. **9435** 



Offered by:

SEN. SLAP, 5th Dist.

SEN. WITKOS, 8th Dist.

REP. ELLIOTT, 88th Dist.

REP. HAINES, 34th Dist.

REP. FARRAR, 20th Dist.

To: Subst. Senate Bill No. 881

File No. 679

Cal. No. 227

## "AN ACT CONCERNING WORKFORCE DEVELOPMENT."

- 1 Strike everything after the enacting clause and substitute the
- 2 following in lieu thereof:
- 3 "Section 1. (NEW) (Effective July 1, 2021) (a) As used in this section
- 4 and section 2 of this act:
- 5 (1) "Participating institution" means (A) (i) an institution of higher
- 6 education within the Connecticut State University System, or (B) (ii) any
- 7 other institution of higher education in the state that enters into a
- 8 memorandum of agreement with the Board of Regents for Higher
- 9 Education in accordance with subsection (d) of this section.
- 10 (2) "Other institution of higher education" means an institution of
- 11 higher education in the state that (A) is not within the Connecticut State
- 12 University System, (B) is a nonprofit institution of higher education, (C)

13 has graduated one hundred or more students with a bachelor's degree 14 each year for the preceding four years, (D) maintains eligibility to 15 participate in financial aid programs governed by Title IV, Part B of the 16 Higher Education Act of 1965, as amended from time to time, (E) has 17 not been determined by the United States Department of Education to 18 have a financial responsibility score that is less than 1.5 for the most 19 recent fiscal year for which the data necessary for determining the score 20 is available, and (F) is accredited as a degree-granting institution in good 21 standing for ten years or more by a regional accrediting association 22 recognized by the Secretary of the United States Department of 23 Education, and maintains such accreditation status.

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

(b) Not later than April 1, 2022, the Board of Regents for Higher Education, in consultation with institutions of higher education that are eligible to be participating institutions, shall (1) establish the Connecticut Automatic Admissions Program, and (2) adopt rules, procedures and forms necessary to implement such program. Under the Connecticut Automatic Admissions Program, a participating institution shall admit an applicant as a full-time, first-year student to an in-person bachelor's degree program if such applicant (A) meets or exceeds the academic threshold established pursuant to subsection (e) of this section, (B) qualifies as an in-state student pursuant to section 10a-29 of the general statutes, (C) is in his or her last school year before graduation and enrolled at a public high school in the state or a nonpublic high school in the state, approved pursuant to subsection (g) of this section, and (D) if required by a participating institution, earns a high school diploma. A participating institution may conduct a comprehensive review of any application submitted by an applicant who applies through the Connecticut Automatic Admissions Program, which may entail requesting additional application materials from such applicant or result in denying admission to such applicant. Each participating institution shall make an effort to minimize the number of students subjected to a comprehensive review if such student meets the requirements of subparagraphs (A) to (D), inclusive, of this subsection. Applicants admitted to a participating institution under the Connecticut

Automatic Admissions Program are not guaranteed admission into any
 specific bachelor's degree program at such institution.

49

50

51

52

53

54

55 56

70

71

72

73

74

75

76

77

- (c) The Board of Regents for Higher Education shall create a simple online application form for students to apply to participating institutions under the Connecticut Automatic Admissions Program. Such application form shall require a student to verify that such student meets the qualifications specified in subsection (b) of this section. Such application form shall not require (1) an application fee, or (2) the submission of an essay or recommendation letters. The board shall make such application form available on its Internet web site.
- 57 (d) Any other institution of higher education may enter into a 58 memorandum of agreement with the Board of Regents for Higher 59 Education to participate in the Connecticut Automatic Admissions 60 Program. Each such other institution of higher education shall use the 61 online application form created pursuant to subsection (c) of this 62 section, make such application form available on its Internet web site, 63 and comply with the provisions of subsection (e) of this section. The 64 Board of Regents for Higher Education may charge a reasonable fee to 65 such other institution of higher education that is not a constituent unit 66 of the state system of higher education for participation in the program. 67 Such fee shall not exceed the board's cost for including such other 68 institution of higher education in the program or twenty-five thousand 69 dollars, whichever is less.
  - (e) (1) The Board of Regents for Higher Education shall establish (A) a minimum class rank percentile for applicants to qualify for admission through the Connecticut Automatic Admissions Program to each participating institution, and (B) a standardized method for calculating grade point average that shall be used to determine class rank percentile.
  - (2) Each participating institution shall establish an academic threshold for admission to such institution through the Connecticut Automatic Admissions Program. Any other institution of higher

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

101

102

103

104

105

106

107

108

109

110

111

education shall establish one or more of the following academic thresholds: (A) The minimum class rank percentile established by the Board of Regents for Higher Education pursuant to subparagraph (A) of subdivision (1) of this subsection, (B) a minimum grade point average calculated in accordance with the standardized method established by the board pursuant to subparagraph (B) of subdivision (1) of this subsection, or (C) a combination of a minimum grade point average calculated in accordance with the standardized method established by the board pursuant to subparagraph (B) of subdivision (1) of this subsection and performance on a nationally recognized college readiness assessment administered to students enrolled in grade eleven pursuant to subdivision (3) of subsection (c) of section 10-14n of the general statutes. Each state university within the Connecticut State University System shall establish the academic threshold set forth in subparagraph (A) of this subdivision and may establish the additional academic thresholds set forth in subparagraphs (B) and (C) of this subdivision. An applicant shall be deemed to have satisfied the academic threshold for admission to a participating institution through the Connecticut Automatic Admissions Program if such applicant satisfies any one of the academic thresholds established by such institution.

- (3) No governing board of a participating institution shall establish policies or procedures that require any academic qualifications in addition to the qualifications specified in subsection (b) of this section and the academic threshold established pursuant to this subsection for the purposes of the Connecticut Automatic Admissions Program.
- (f) No participating institution shall consider the admission of a student through the Connecticut Automatic Admissions Program in determining such student's eligibility for need-based or merit-based financial aid.
- (g) The supervisory agent of a nonpublic high school in the state may submit an application to the Board of Regents for Higher Education, in the form and manner prescribed by the board, to participate in the

112 Connecticut Automatic Admissions Program. The board shall approve 113 any such application provided such nonpublic high school (1) is 114 accredited by a generally recognized accrediting organization or is 115 operated by the United States Department of Defense, and (2) complies

with the provisions of section 2 of this act.

116

136

137

138

139

140

141

- 117 Sec. 2. (NEW) (Effective July 1, 2021) (a) For the school year 118 commencing July 1, 2022, and each school year thereafter, for the 119 purpose of qualifying a student for the Connecticut Automatic 120 Admissions Program, established pursuant to section 1 of this act, each 121 local and regional board of education shall (1) calculate a grade point 122 average using the standardized method established by the Board of 123 Regents for Higher Education pursuant to subsection (e) of section 1 of 124 this act, for each student who completes eleventh grade or who is 125 graduating high school, and (2) determine whether such student's class 126 rank percentile is above or below the minimum established by the Board 127 of Regents for Higher Education pursuant to subsection (e) of section 1 128 of this act. Each local and regional board of education shall share a 129 student's grade point average and whether such student is above or 130 below the minimum class rank percentile with (A) the student, (B) the 131 student's parent or guardian, (C) the Department of Education, in the 132 form and manner prescribed by the department, and (D) upon the 133 student's request, a participating institution for the purposes of 134 applying to such participating institution under the Connecticut 135 Automatic Admissions Program.
  - (b) Nothing in this section shall be construed to require a local or regional board of education to publish or provide a class ranking for any student or to publish on a student's transcript the grade point average calculated pursuant to subsection (a) of this section or whether such student is above or below the minimum class rank percentile established by the Board of Regents for Higher Education pursuant to subsection (e) of section 1 of this act.
- 143 (c) For the school year commencing July 1, 2022, and each school year 144 thereafter, each local and regional board education shall notify each

student enrolled in his or her final year of high school, and the parent or

- 146 guardian of such student, whether such student may be admitted to at
- 147 least one participating institution under the Connecticut Automatic
- 148 Admissions Program based on the academic threshold established by
- such institution pursuant to subsection (e) of section 1 of this act.
- 150 Sec. 3. (NEW) (*Effective July 1, 2021*) (a) As used in this section:
- 151 (1) "Eligible organization" means any provider of a training program
- including, but not limited to, a provider of a training program listed on
- 153 the Labor Department's Eligible Training Provider List, an
- apprenticeship or preapprenticeship program sponsor, a provider of an
- alternate route to certification program approved by the State Board of
- 156 Education, an institution of higher education, a private occupational
- 157 school, an employer, a state or municipal agency and a public or
- 158 nonprofit social service provider in the state; and
- 159 (2) "Approved class" means a set of employees, clients, students or
- 160 customers of an eligible organization.
- 161 (b) Not later than January 1, 2022, the Commissioner of
- 162 Transportation shall establish CTpass program to allow individuals in
- an approved class for an eligible organization to use certain public
- transit services without cost or at a reduced cost. The commissioner shall
- 165 post information regarding the CTpass program and application
- 166 process for such program on the Department of Transportation's
- 167 Internet web site in a manner that, in the commissioner's discretion, will
- 168 maximize awareness and participation by the greatest number of
- 169 eligible organizations.
- (c) Upon receipt of an application from an eligible organization to
- participate in the CT pass program, the commissioner may negotiate the
- terms and conditions and enter into a contract with such eligible
- organization. The commissioner may treat several eligible organizations
- as a single eligible organization for the purposes of a contract under the
- 175 CTpass program. Such terms and conditions shall include, but need not
- be limited to, (1) the amount of compensation or reimbursement

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

198

199

200

201

202

203

204

205

206

207

208

209

required from the eligible organization, (2) the definition of approved class specific to the eligible organization, and (3) any limitations on times of use or types of public transit services available to the approved class. The compensation or reimbursement negotiated in the contract shall be in an amount as the commissioner deems necessary or advisable, provided the amount is sufficient to ensure that transit service expenditures incurred by the department do not increase as a result of the CTpass program and to cover any administrative costs incurred by the department in the operation of the CTpass program. A contract under the CTpass program shall be valid upon the approval of the Office of Policy and Management for a term of not more than two years, except the first contract with an eligible organization shall not exceed twelve months. Prior to any renewal of a contract with an eligible organization under the CTpass program, the commissioner shall consider prior pass utilization information and any transit service expenditure increases incurred by the department for the purpose of reevaluating the amount of compensation or reimbursement required from such eligible organization.

- (d) Not later than January 1, 2023, and annually thereafter, the Commissioner of Transportation shall submit a report to the Secretary of the Office of Policy and Management on the financial data and pass utilization information for each contract under the CTpass program.
- Sec. 4. (NEW) (*Effective July 1, 2021*) (a) Not later than December 1, 2021, and annually thereafter until December 1, 2024, each employer in the state with one hundred or more employees shall notify the employees of such employer who are residents of the state about (1) whether such employer offers to employees an education assistance program under 26 USC 127, and (2) if an education assistance program is offered to employees, the benefits included in such program and the manner in which an employee may enroll in such program.
- (b) An employee shall have no cause of action against an employer for not offering an education assistance program under 26 USC 127 to employees or for failure to notify employees about such program

210 pursuant to subsection (a) of this section.

- 211 (c) The Commissioner of Economic and Community Development 212 shall make information and resources regarding education assistance 213 programs under 26 USC 127 available to employers in the state.
- Sec. 5. (*Effective July 1, 2021*) (a) The University of Connecticut shall (1) to the extent possible, remove prerequisites from each University of Connecticut Early College Experience course offered in the state, and (2) work with local and regional boards of education to increase access to such Early College Experience courses.
  - (b) Not later than October 1, 2022, The University of Connecticut shall submit to the Commissioner of Education and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to higher education and education a report on (1) the prerequisites required for University of Connecticut Early College Experience courses, (2) how these prerequisites compare to prerequisites required for similar courses offered by other institutions of higher education and for advanced placement, International Baccalaureate and Cambridge International programs, (3) the demographics of enrolled students, and (4) the actions taken by the university to increase access to its Early College Experience courses.
  - Sec. 6. (Effective July 1, 2021) Not later than February 1, 2022, the Board of Trustees of The University of Connecticut and the Board of Regents for Higher Education shall each submit to the Commissioner of Education and, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to education and higher education a report on its policies for each institution of higher education governed by such board concerning when course credit is awarded to an undergraduate student attending such institution of higher education for such student's score on an advanced placement, an International Baccalaureate, a Cambridge International or a University

of Connecticut Early College Experience exam taken while enrolled in high school.

- Sec. 7. (NEW) (Effective July 1, 2021) (a) Any information contained in federal or state applications for student financial aid and personally identifiable information contained in applications for admission to institutions of higher education, including applications under the Connecticut Automatic Admissions Program established pursuant to section 1 of this act, held by any department, board, commission, public institution of higher education or any other agency of the state, or any local or regional board of education or state-administered school system shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200 of the general statutes, and shall not be subject to disclosure under the provisions of section 1-210 of the general statutes.
- (b) No officer, employee, or agent of a department, board, commission, or any other agency of the state, or any officer, employee or agent of a local or regional board of education or an institution of higher education in the state, shall share, disclose or make accessible in any manner records or information regarding any applicant for admission, student or family member of an applicant or student obtained by such officer, employee or agent, to any federal immigration authority, as defined in section 54-192h of the general statutes, unless such applicant, student or family member of such applicant or student provides written consent for such information to be shared with a specific federal agency for a specific purpose.
- Sec. 8. (NEW) (Effective July 1, 2021) (a) As used in this section:
  - (1) "Credential" means a documented award issued by an authorized body, including, but not limited to, a (A) degree or certificate awarded by an institution of higher education, private occupational school or provider of an alternate route to certification program approved by the State Board of Education for teachers, (B) certification awarded through an examination process designed to demonstrate acquisition of

9 of 29

designated knowledge, skill and ability to perform a specific job, (C) license issued by a governmental agency which permits an individual to practice a specific occupation upon verification that such individual meets a predetermined list of qualifications, and (D) documented completion of an apprenticeship or job training program; and

274

275

276

277

278

279

- (2) "Credential status type" means the official status of a credential which is either active, deprecated, probationary or superseded.
- 281 (b) Not later than January 1, 2023, the executive director of the Office 282 of Higher Education, in consultation with the advisory council 283 established pursuant to subsection (c) of this section, shall create a 284 database of credentials offered in the state for the purpose of explaining 285 the skills and competencies earned through a credential in uniform 286 terms and plain language. In creating the database, the executive 287 director shall utilize the minimum data policy of the New England 288 Board of Higher Education's High Value Credentials for New England 289 initiative, the uniform terms and descriptions of Credentials Engine's 290 Credential Transparency Description Language and the uniform 291 standards for comparing and linking credentials in Credential Engine's 292 Credential Description Language-Achievement Transparency 293 Standards Network. At a minimum, the database shall include the 294 following data for each credential: (1) Credential status type, (2) the 295 entity that owns or offers the credential, (3) the type of credential being 296 offered, (4) a short description of the credential, (5) the name of the 297 credential, (6) the Internet web site that provides information relating to 298 the credential, (7) the language in which the credential is offered, (8) the 299 estimated duration for completion, (9) the industry related to the 300 credential which may include its code under the North American 301 Industry Classification System, (10) the occupation related to the 302 credential which may include its code under the standard occupational 303 classification system of the Bureau of Labor Statistics of the United 304 States Department of Labor or under The Occupational Information 305 Network, (11) the estimated cost for earning the credential, and (12) a 306 listing of online or physical locations where the credential is offered.

(c) There is established an advisory council for the purpose of advising the executive director of the Office of Higher Education on the implementation of the database created pursuant to subsection (b) of this section. The advisory council shall consist of (1) representatives from the Department of Economic and Community Development, Office of Higher Education, Office of Policy and Management, Labor Department, Department of Education, Connecticut State Colleges and Universities, The University of Connecticut and independent institutions of higher education, and (2) the Chief Data Officer. The Commissioner of Economic and Community Development, the Chief Data Officer and the executive director of the Office of Higher Education, or their designees, shall be cochairpersons of the advisory council and shall schedule the meetings of the advisory council.

- (d) Not later than July 1, 2024, and annually thereafter, each institution of higher education, private occupational school, provider of an alternate route to certification program approved by the State Board of Education, and provider of a training program listed on the Labor Department's Eligible Training Provider List shall submit information, in the form and manner prescribed by the executive director of the Office of Higher Education, about any credential offered by such institution, school or provider for inclusion in the database created pursuant to subsection (b) of this section. Such information shall include, but need not be limited to, the data described in subdivisions (1) to (12), inclusive, of subsection (b) of this section, except an institution of higher education may omit the data required pursuant to subdivisions (6), (9) and (10) of subsection (b) of this section if such data is not applicable to a credential offered by such institution.
- (e) Nothing in this section shall be construed to require any state agency or department to submit credential information to the database created pursuant to subsection (b) of this section.
- (f) The Labor Department may, in consultation with the advisory council established pursuant to subsection (c) of this section, require any program sponsor of a preapprenticeship or apprenticeship program

registered with the department to submit information about such program to the Office of Higher Education for inclusion in such database.

Sec. 9. Subsection (l) of section 10a-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1,* 2021):

(l) Notwithstanding the provisions of subsections (b) to (j), inclusive, of this section and subject to the authority of the State Board of Education to regulate teacher education programs, up to twelve new programs of higher learning in any academic year and any program modifications proposed by an independent institution of higher education, as defined in section 10a-173, shall not be subject to approval by the Office of Higher Education, provided (1) the institution maintains eligibility to participate in financial aid programs governed by Title IV, Part B of the Higher Education Act of 1965, as amended from time to time, (2) the United States Department of Education has not determined that the institution has a financial responsibility score that is less than 1.5 for the most recent fiscal year for which the data necessary for determining the score is available, and (3) the institution has been located in the state and accredited as a degree-granting institution in good standing for ten years or more by a regional accrediting association recognized by the Secretary of the United States Department of Education and maintains such accreditation status. Each institution that is exempt from program approval by the Office of Higher Education under this subsection shall file with the office (A) an application for approval of any new program of higher learning in excess of twelve new programs in any academic year, (B) a program actions form, as created by the office, prior to students enrolling in any new program of higher learning or any existing program subject to a program modification, and (C) not later than July first, and annually thereafter, (i) until June 30, 2024, a list and brief description of any new programs of higher learning introduced by the institution in the preceding academic year and any existing programs of higher learning discontinued by the institution in the preceding academic year, (ii) the institution's current program

346

347

348349

350

351

352

353

354

355

356

357

358

359

360

361

362

363

364

365

366

367

368

369

370

371

372

approval process and all actions of the governing board concerning approval of any new program of higher learning, and (iii) the institution's financial responsibility composite score, as determined by the United States Department of Education, for the most recent fiscal year for which the data necessary for determining the score is available.

- Sec. 10. (*Effective July 1, 2021*) Not later than October 1, 2023, the executive director of the Office of Higher Education shall submit recommendations, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to higher education on program approval and modification required pursuant to the provisions of section 10a-34 of the general statutes.
- Sec. 11. Section 10a-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):
- 388 (a) Notwithstanding sections 10a-34 to 10a-35, inclusive, as amended 389 by this act, the Board of Regents for Higher Education shall have the 390 authority, in accordance with the provisions of said sections and the 391 standards set forth in any regulations promulgated thereunder, to (1) 392 review and approve recommendations for the establishment of new 393 academic programs for the universities within the Connecticut State 394 University System, the regional community-technical colleges and 395 Charter Oak State College, and (2) until June 30, 2024, report all new 396 programs and program changes to the Office of Higher Education.
  - (b) Notwithstanding sections 10a-34 to 10a-35, inclusive, <u>as amended</u> <u>by this act</u>, the Board of Trustees for The University of Connecticut shall (1) have the authority, in accordance with the provisions of said sections and the standards set forth in any regulations promulgated thereunder, to review and approve recommendations for the establishment of new academic programs at the university, and (2) <u>until June 30, 2024</u>, report all new programs and program changes to the Office of Higher Education.
- Sec. 12. Subsection (a) of section 10a-6 of the general statutes is

379

380

381

382

383

384

385

397

398

399

400

401

402

403

repealed and the following is substituted in lieu thereof (*Effective July 1,* 2021):

408

409

410

411

412

413

414

415

416

417

418

419

420

421

422

423

424

425

426

427

428

429

430

431

432

433

434

435

436

437

438 439

(a) The Board of Regents for Higher Education shall: (1) Establish policies and guidelines for the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (2) develop a master plan for higher education and postsecondary education at the Connecticut State University System, the regional community-technical college system and Charter Oak State College consistent with the goals identified in section 10a-11c; (3) establish tuition and student fee policies for the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (4) monitor and evaluate the effectiveness and viability of the state universities, the regional community-technical colleges and Charter Oak State College in accordance with criteria established by the board; (5) merge or close institutions within the Connecticut State University System, the regional community-technical college system and Charter Oak State College in accordance with criteria established by the board, provided (A) such recommended merger or closing shall require a two-thirds vote of the board, and (B) notice of such recommended merger or closing shall be sent to the committee having cognizance over matters relating to education and to the General Assembly; (6) review and approve mission statements for the Connecticut State University System, the regional community-technical college system and Charter Oak State College and role and scope statements for the individual institutions and campuses of such constituent units; (7) review and approve any recommendations for the establishment of new academic programs submitted to the board by the state universities within the Connecticut State University System, the regional community-technical colleges and Charter Oak State College, and, in consultation with the affected constituent units, provide for the initiation, consolidation or termination of academic programs; (8) develop criteria to ensure acceptable quality in (A) programs at the Connecticut State University System, the regional community-technical college system and Charter Oak State College, and (B) institutions

within the Connecticut State University System and the regional community-technical college system and enforce standards through licensing and accreditation; (9) prepare and present to the Governor and General Assembly, in accordance with section 10a-8, consolidated operating and capital expenditure budgets for the Connecticut State University System, the regional community-technical college system and Charter Oak State College developed in accordance with the provisions of said section 10a-8; (10) review and recommendations on plans received from the Connecticut State University System, the regional community-technical college system and Charter Oak State College to implement the goals identified in section 10a-11c; (11) appoint advisory committees with representatives from public and independent institutions of higher education to study methods and proposals for coordinating efforts of the public institutions of higher education under its jurisdiction with The University of Connecticut and the independent institutions of higher education to implement the goals identified in section 10a-11c; (12) evaluate (A) means of implementing the goals identified in section 10a-11c, and (B) any recommendations made by the Planning Commission for Higher Education in implementing the strategic master plan pursuant to section 10a-11b through alternative and nontraditional approaches such as external degrees and credit by examination; (13) coordinate programs and services among the Connecticut State University System, the regional community-technical college system and Charter Oak State College; (14) assess opportunities for collaboration with The University of Connecticut and the independent institutions of higher education to implement the goals identified in section 10a-11c; (15) make or enter into contracts, leases or other agreements in connection with its responsibilities under this part, provided all acquisitions of real estate by lease or otherwise shall be subject to the provisions of section 4b-23; (16) be responsible for the care and maintenance of permanent records of institutions of higher education dissolved after September 1, 1969; (17) prepare and present to the Governor and General Assembly legislative proposals affecting the Connecticut State University System, the regional community-technical college system and Charter Oak State

440

441

442

443

444

445

446

447

448

449

450

451

452

453

454

455

456

457

458

459

460

461

462

463

464

465

466

467

468

469

470

471

472

473

475 College; (18) develop and maintain a central higher education 476 information system and establish definitions and data requirements for 477 the Connecticut State University System, the regional community-478 technical college system and Charter Oak State College; (19) until June 479 30, 2024, report all new programs and program changes at the 480 Connecticut State University System, the regional community-technical 481 college system and Charter Oak State College to the Office of Higher 482 Education; and (20) undertake such studies and other activities as will 483 best serve the higher educational interests of the Connecticut State 484 University System, the regional community-technical college system 485 and Charter Oak State College.

Sec. 13. (NEW) (Effective July 1, 2021) (a) Not later than January 1, 2023, each private occupational school, as defined in section 10a-22a of the general statutes, regional workforce development board, community action agency, as defined in section 17b-885 of the general statutes, and each provider of an alternate route to certification program approved by the State Board of Education, shall submit, in a form and manner prescribed by the executive director of the Office of Higher Education, any data collected by such school, board, agency or program for each student or trainee enrolled in a program that earns a credential, as defined in section 8 of this act, offered by such school, board, agency or program. Such data shall include, but need not be limited to, gender identity, age, race, ethnicity, course enrollment, course completion, credential completion, fees and tuition charged, federal student loans received, federal student loan balances, and for any student who has a state-assigned student identifier pursuant to section 10-10a of the general statutes, such student identifier. Nothing in this subsection shall be construed to require a student or trainee to provide information about gender identity, age, race or ethnicity if not otherwise required by law.

(b) Personally identifiable information provided to the Office of Higher Education pursuant to subsection (a) of this section shall be confidential, shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200 of the

486

487

488

489

490

491

492

493

494

495

496

497

498

499

500

501

502

503

504

505

506

507

general statutes, and shall not be subject to disclosure under the provisions of section 1-210 of the general statutes. The office may share information submitted pursuant to subsection (a) of this section with another state agency, another state or territory, the federal government or to support a data request submitted through CP20 WIN in accordance with the policies and procedures of CP20 WIN, established pursuant to section 10a-57g of the general statutes, as amended by this act, for the purposes of program administration, audit, evaluation or research, provided the recipient of such data agrees to a data use agreement pursuant to section 15 of this act if such recipient is not a state agency, another state or territory or the federal government.

- Sec. 14. Subsection (j) of section 31-225a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1*, 2021):
- (j) (1) (A) Each employer subject to this chapter shall submit quarterly, on forms supplied by the administrator, a listing of wage information, including the name of each employee receiving wages in employment subject to this chapter, such employee's Social Security account number and the amount of wages paid to such employee during such calendar quarter.
  - (B) Commencing with the third calendar quarter of 2024, unless waived pursuant to subdivision (5) of this subsection, any employer subject to this chapter, with one hundred or more employees, shall include in the quarterly filing submitted pursuant to subparagraph (A) of this subdivision, the following data for each employee receiving wages in employment subject to this chapter: Such employee's gender identity, age, race, ethnicity, veteran status, disability status, highest education completed, home address, address of primary work site, occupational code under the standard occupational classification system of the Bureau of Labor Statistics of the United States Department of Labor, hours worked, days worked, salary or hourly wage, employment start date in the current job title and, if applicable, employment end date. The information required pursuant to this

subject to this chapter with ninety-nine or fewer employees commencing with the third calendar quarter of 2025, except employers subject to this chapter with forty-nine or fewer employees without an electronic payroll system shall include such information commencing with the third calendar quarter of 2027. Nothing in this subparagraph shall be construed to require an employee to provide information about gender identity, age, race, ethnicity, veteran status or disability status if not otherwise required by law. The administrator may issue guidance defining each such data field.

- (2) [Commencing with the first calendar quarter of 2014, each] <u>Each</u> employer subject to this chapter who reports wages for employees receiving wages in employment subject to this chapter, and each person or organization that, as an agent, reports wages for employees receiving wages in employment subject to this chapter on behalf of one or more employers subject to this chapter shall submit quarterly the information required by subdivision (1) of this subsection [on magnetic tape, diskette, or other similar electronic means which the administrator may prescribe] <u>electronically</u>, in a format <u>and manner</u> prescribed by the administrator, unless such employer or agent receives a waiver pursuant to subdivision (5) of this subsection.
- (3) Any employer that fails to submit the information required by subparagraph (A) of subdivision (1) of this subsection in a timely manner, as determined by the administrator, shall be liable to the administrator for a late filing fee of twenty-five dollars. Any employer that fails to submit the information required by subparagraph (A) of subdivision (1) of this subsection under a proper state unemployment compensation registration number shall be liable to the administrator for a fee of twenty-five dollars. All fees collected by the administrator under this subdivision shall be deposited in the Employment Security Administration Fund.
- (4) [Commencing with the first calendar quarter of 2014, each] <u>Each</u> employer subject to this chapter who makes contributions or payments

in lieu of contributions for employees receiving wages in employment subject to this chapter, and each person or organization that, as an agent, makes contributions or payments in lieu of contributions for employees receiving wages in employment subject to this chapter on behalf of one or more employers subject to this chapter shall make such contributions or payments in lieu of contributions electronically.

- (5) Any employer or any person or organization that, as an agent, [submits] is required to submit information pursuant to subdivision (2) of this subsection, [or makes] make contributions or payments in lieu of contributions pursuant to subdivision (4) of this subsection or submit information pursuant to subparagraph (B) of subdivision (1) of this subsection may request in writing, not later than thirty days prior to the date a submission of information or a contribution or payment in lieu of contribution is due, that the administrator waive [the] such requirement. [that such submission or contribution or payment in lieu of contribution be made electronically.] The administrator shall grant such request if, on the basis of information provided by such employer or person or organization and on a form prescribed by the administrator, the administrator finds that there would be undue hardship for such employer or person or organization. The administrator shall promptly inform such employer or person or organization of the granting or rejection of the requested waiver. The decision of the administrator shall be final and not subject to further review or appeal. Such waiver shall be effective for twelve months from the date such waiver is granted.
- (6) The name and identifying information of an employer and personal information about an employee provided to the administrator pursuant to subparagraph (B) of subdivision (1) of this subsection shall be confidential, shall not be deemed to be a public record for purposes of the Freedom of Information Act, as defined in section 1-200, and shall not be subject to disclosure under the provisions of section 1-210. The administrator or the department may share information provided pursuant to subparagraph (B) of subdivision (1) of this subsection with another state agency, another state or territory, the federal government

575

576

577

578

579

580

581

582

583

584

585

586

587

588

589

590

591

592

593

594

595

596

597

598

599

600

601

602

603

604

605

606

607

or to support a data request submitted through CP20 WIN in accordance
with the policies and procedures of CP20 WIN, established pursuant to
section 10a-57g, as amended by this act, for the purposes of program
administration, audit, evaluation or research, provided the recipient of
such data enters into an agreement pursuant to section 15 of this act if
such recipient is not a state agency, another state or territory, or the

615 <u>federal government.</u>

623

624

625

626

627

- Sec. 15. (NEW) (*Effective July 1, 2021*) (a) Any office, department, board, commission, public institution of higher education or other instrumentality of the state may, when otherwise allowed by state and federal law, enter into a data sharing agreement or a data use agreement with one or more individuals or organizations that allows for the sharing of data held by such state instrumentality. Such agreement shall include, but need not be limited to, the following provisions:
  - (1) Data provided by the state instrumentality shall not be shared with another party unless such party has entered into a data sharing agreement or data use agreement with such instrumentality pursuant to this section and with approval from such instrumentality;
  - (2) Data shall not be copied or held aside by any party from what is approved in the agreement;
- 629 (3) All data shall be stored and accessed in a secure manner, as 630 prescribed in the data sharing agreement or data use agreement;
- (4) Any party that has entered into a data sharing agreement or data
   use agreement shall immediately notify the state instrumentality of any
   breach of such agreement;
- (5) The data shall be owned by the state instrumentality;
- 635 (6) The data provided by the state instrumentality shall not be subject 636 to release under any local, state or federal freedom of information or 637 right-to-know act;
- 638 (7) The data may only be used for purposes authorized in the data

639 sharing agreement or data use agreement;

645

646

647

648

649

650

653

654

655

656

657 658

659

660

661

662

663

664

665

- 640 (8) If any provision of the data sharing agreement or data use 641 agreement or the application of such agreement is held invalid by a 642 court of competent jurisdiction, the invalidity does not affect other 643 provisions or applications of such agreement that can be given effect 644 without the invalid provision or application;
  - (9) A party entering into a data sharing agreement or data use agreement shall not (A) use records or information obtained for such data for the purpose of enforcing federal immigration law, or (B) share, disclose, or make accessible in any manner, directly or indirectly, such information or records to any federal or state agency that enforces federal immigration law, or to any officer or agent of such agency;
- 651 (10) No data sharing agreement or data use agreement shall exceed a 652 term of two years;
  - (11) No algorithm or learning model derived from data provided by a state instrumentality pursuant to a data sharing agreement or data use agreement shall be retained or used by the party who entered into such agreement after the expiration of the term of such agreement; and
  - (12) Any research for which data will be provided pursuant to a data sharing agreement or data use agreement shall first be approved by an institutional review board at an institution of higher education or by an institutional review board at a state instrumentality.
  - (b) No state instrumentality may enter into a data sharing agreement or data use agreement (1) with any party who has been found to have breached an existing or prior agreement with a state instrumentality entered into pursuant to this section for a period of five years following such breach, or (2) for the purpose of selling data, sharing data for resale or for any other commercial purpose.
- 667 (c) Each state instrumentality shall deidentify the data shared 668 pursuant to a data sharing agreement or data use agreement to the

669 greatest extent possible.

670

671

672

673

674

675

676

677

678

679

680

681

685

686

687

688

689 690

691

692

693

694

695

696

697

698

699

700

(d) Any data sharing agreement or data use agreement entered into pursuant to subsection (a) of this section shall be deemed a public record. Any state instrumentality that enters into such an agreement shall not release any information that may endanger data security or safety.

- (e) Not later than January 1, 2022, and annually thereafter, each state instrumentality shall submit, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having primary cognizance over such instrumentality, a summary of each data sharing agreement and data use agreement such instrumentality has entered into pursuant to this section and copy of such agreement.
- Sec. 16. Subsection (b) of section 12-15 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2021):
  - (b) The commissioner may disclose (1) returns or return information to (A) an authorized representative of another state agency or office, upon written request by the head of such agency or office, when required in the course of duty or when there is reasonable cause to believe that any state law is being violated, or (B) an authorized representative of an agency or office of the United States, upon written request by the head of such agency or office, when required in the course of duty or when there is reasonable cause to believe that any federal law is being violated, provided no such agency or office shall disclose such returns or return information, other than in a judicial or administrative proceeding to which such agency or office is a party pertaining to the enforcement of state or federal law, as the case may be, in a form which can be associated with, or otherwise identify, directly or indirectly, a particular taxpayer except that the names and addresses of jurors or potential jurors and the fact that the names were derived from the list of taxpayers pursuant to chapter 884 may be disclosed by the Judicial

Branch; (2) returns or return information to the Auditors of Public Accounts, when required in the course of duty under chapter 23; (3) returns or return information to tax officers of another state or of a Canadian province or of a political subdivision of such other state or province or of the District of Columbia or to any officer of the United States Treasury Department or the United States Department of Health and Human Services, authorized for such purpose in accordance with an agreement between this state and such other state, province, political subdivision, the District of Columbia or department, respectively, when required in the administration of taxes imposed under the laws of such other state, province, political subdivision, the District of Columbia or the United States, respectively, and when a reciprocal arrangement exists; (4) returns or return information in any action, case or proceeding in any court of competent jurisdiction, when the commissioner or any other state department or agency is a party, and when such information is directly involved in such action, case or proceeding; (5) returns or return information to a taxpayer or its authorized representative, upon written request for a return filed by or return information on such taxpayer; (6) returns or return information to a successor, receiver, trustee, executor, administrator, assignee, guardian or guarantor of a taxpayer, when such person establishes, to the satisfaction of the commissioner, that such person has a material interest which will be affected by information contained in such returns or return information; (7) information to the assessor or an authorized representative of the chief executive officer of a Connecticut municipality, when the information disclosed is limited to (A) a list of real or personal property that is or may be subject to property taxes in such municipality, or (B) a list containing the name of each person who is issued any license, permit or certificate which is required, under the provisions of this title, to be conspicuously displayed and whose address is in such municipality; (8) real estate conveyance tax return information or controlling interest transfer tax return information to the town clerk or an authorized representative of the chief executive officer of a Connecticut municipality to which the information relates; (9) estate tax returns and estate tax return information to the Probate Court Administrator or to

701

702

703

704

705

706

707

708

709

710

711

712

713

714

715

716

717

718

719

720

721

722

723

724

725

726

727

728

729

730

731

732

733

734

the court of probate for the district within which a decedent resided at the date of the decedent's death, or within which the commissioner contends that a decedent resided at the date of the decedent's death or, if a decedent died a nonresident of this state, in the court of probate for the district within which real estate or tangible personal property of the decedent is situated, or within which the commissioner contends that real estate or tangible personal property of the decedent is situated; (10) returns or return information to the (A) Secretary of the Office of Policy and Management for purposes of subsection (b) of section 12-7a, and (B) Office of Fiscal Analysis for purposes of, and subject to the provisions of, subdivision (2) of subsection (f) of section 12-7b; (11) return information to the Jury Administrator, when the information disclosed is limited to the names, addresses, federal Social Security numbers and dates of birth, if available, of residents of this state, as defined in subdivision (1) of subsection (a) of section 12-701; (12) returns or return information to any person to the extent necessary in connection with the processing, storage, transmission or reproduction of such returns or return information, and the programming, maintenance, repair, testing or procurement of equipment, or the providing of other services, for purposes of tax administration; (13) without written request and unless the commissioner determines that disclosure would identify a confidential informant or seriously impair a civil or criminal tax investigation, returns and return information which may constitute evidence of a violation of any civil or criminal law of this state or the United States to the extent necessary to apprise the head of such agency or office charged with the responsibility of enforcing such law, in which event the head of such agency or office may disclose such return information to officers and employees of such agency or office to the extent necessary to enforce such law; (14) names and addresses of operators, as defined in section 12-407, to tourism districts, as defined in section 10-397; (15) names of each licensed dealer, as defined in section 12-285, and the location of the premises covered by the dealer's license; (16) to a tobacco product manufacturer that places funds into escrow pursuant to the provisions of subsection (a) of section 4-28i, return information of a distributor licensed under the provisions of chapter 214

736

737

738

739

740

741

742

743

744

745

746

747

748

749

750

751

752

753

754

755

756

757

758

759

760

761

762

763

764

765

766

767

768

769

771 or chapter 214a, provided the information disclosed is limited to 772 information relating to such manufacturer's sales to consumers within 773 this state, whether directly or through a distributor, dealer or similar 774 intermediary or intermediaries, of cigarettes, as defined in section 4-28h, 775 and further provided there is reasonable cause to believe that such 776 manufacturer is not in compliance with section 4-28i; (17) returns, which 777 shall not include a copy of the return filed with the commissioner, or 778 return information for purposes of section 12-217z; (18) returns or return 779 information to the State Elections Enforcement Commission, upon 780 written request by said commission, when necessary to investigate 781 suspected violations of state election laws; [and] (19) returns or return 782 information for purposes of, and subject to the conditions of, subsection (e) of section 5-240; and (20) to the extent allowable under federal law, 783 784 return information to another state agency or to support a data request submitted through CP20 WIN, established in section 10a-57g, as 785 786 amended by this act, in accordance with the policies and procedures of 787 CP20 WIN for the purposes of evaluation or research.

- Sec. 17. Section 10a-223 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):
- In this chapter, the following words and terms shall have the following meanings unless the context indicates another or different meaning or intent:
- 793 (1) "Authority" means the Connecticut Higher Education 794 Supplemental Loan Authority constituted as a subsidiary of the 795 Connecticut Health and Educational Facilities Authority as provided in 796 section 10a-179a:
  - (2) "Authorized officer" means an employee of the Connecticut Health and Educational Facilities Authority or of the authority who is authorized by the board of directors of the authority to execute and deliver documents and papers and to act in the name of and on behalf of the authority;
- 802 (3) "Authority loans" means education loans by the authority, or loans

797

798

799

800

by the authority from the proceeds of bonds for the purpose of funding education loans;

- (4) "Board" means the board of directors of the authority;
- (5) "Bonds" or "revenue bonds" means revenue bonds or notes of the authority issued under the provisions of this chapter, including revenue refunding bonds or notes;
- 809 (6) "Bond resolution" means the resolution or resolutions of the 810 authority and the trust agreement, if any, authorizing the issuance of 811 and providing for the terms and conditions applicable to bonds;
- 812 (7) "Borrower" means (A) an individual who has an outstanding loan 813 from the authority, (B) an individual who attends a Connecticut 814 institution for higher education, enrolls in a Connecticut high-value 815 <u>certificate program</u> or currently resides in the state, and has received or 816 agreed to pay an education loan, or (C) any parent who has received or 817 agreed to pay an education loan on behalf of an individual who attends 818 a Connecticut institution for higher education or currently resides in the 819 state;
- 820 (8) "Connecticut Health and Educational Facilities Authority" means 821 the quasi-public authority established pursuant to section 10a-179;
- 822 (9) "Connecticut institution for higher education" means an institution for higher education within the state;
- 824 (10) "Default insurance" means insurance insuring education loans, 825 authority loans or bonds against default;
- 826 (11) "Default reserve fund" means a fund established pursuant to a 827 bond resolution for the purpose of securing education loans, authority 828 loans or bonds;
- 829 (12) "Education loan" means a loan which is made to a student in or 830 from the state or a parent of such student to finance attendance at an 831 institution for higher education <u>or enrollment in a high-value certificate</u>

832 <u>program</u>, or to a borrower to refinance one or more eligible loans;

- (13) "Loan funding deposit" means moneys or other property deposited by a Connecticut institution for higher education with the authority, a guarantor or a trustee for the purpose of (A) providing security for bonds, (B) funding a default reserve fund, (C) acquiring default insurance, or (D) defraying costs of the authority, such moneys or properties to be in such amounts as deemed necessary by the authority or guarantor as a condition for such institution's participation in the authority's programs;
- (14) "Institution for higher education" means a degree-granting educational institution within the United States authorized by applicable law to provide a program of education beyond the high school level and (A) described in Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and exempt from taxation under Section 501(a) of said code with respect to a trade or business carried on by such institution which is not an unrelated trade or business, determined by applying Section 513(a) of said code to such organization or a foundation established for its benefit, or (B) exempt from taxation under said code as a governmental unit;
- (15) "Participating institution for higher education" means a Connecticut institution for higher education which, pursuant to the provisions of this chapter, undertakes the financing directly or indirectly of education loans as provided in this chapter;
- (16) "Parent" means any parent, legal guardian or sponsor of a student at an institution for higher education <u>or enrolled in a high-value</u> certificate program;
- (17) "Education loan series portfolio" means all education loans made by the authority or by or on behalf of a specific participating institution for higher education which are funded from the proceeds of a related specific bond issue of the authority;

(18) "Education assistance program" means a program to assist in financing the costs of education through education loans or education grants, or both;

- (19) "Education grant" means a grant, scholarship, fellowship or other nonrepayable assistance awarded by the authority to a student currently residing in the state to finance the attendance of the student at a Connecticut institution for higher education or enrollment in a Connecticut high-value certificate program, or a grant, scholarship, fellowship or other nonrepayable assistance awarded by or on behalf of a Connecticut institution for higher education from the proceeds of funds provided by the authority to a student from the state to finance the student's attendance at such institution; [and]
  - (20) "Eligible loan" means any loan that is in repayment that was (A) made by the authority, or (B) made to a borrower by any other private or governmental lender to finance attendance at an institution for higher education [.] or enrollment in a high-value certificate program;
  - (21) "High-value certificate program" means a noncredit sub-baccalaureate certificate program offered by an institution of higher education or a private occupational school that the Department of Economic and Community Development determines to meet the needs of employers in the state; and
  - (22) "Connecticut high-value certificate program" means a high-value certificate program offered by an institution of higher education or a private occupational school in the state.
- Sec. 18. (NEW) (*Effective July 1, 2021*) The Connecticut Higher Education Supplemental Loan Authority shall establish an account to be known as the Certificate Loan Loss Reserve and Funding account, which shall be a separate, nonlapsing account. The account shall contain any moneys required by law to be deposited in the account, including, but not limited to, state appropriations or proceeds from the sale of bonds. Moneys in the account shall be expended by the authority to (1) fund authority loans issued to a borrower to finance enrollment in a

Connecticut high-value certificate program, as defined in section 10a-223 of the general statutes, as amended by this act, (2) to cover any losses incurred by the authority from issuing such authority loans, (3) for reasonable and necessary expenses for the administration of such authority loans, and (4) any initial implementation expenses prior to the origination of such authority loans."

This act shall take effect as follows and shall amend the following		
sections:		
Section 1	July 1, 2021	New section
Sec. 2	July 1, 2021	New section
Sec. 3	July 1, 2021	New section
Sec. 4	July 1, 2021	New section
Sec. 5	July 1, 2021	New section
Sec. 6	July 1, 2021	New section
Sec. 7	July 1, 2021	New section
Sec. 8	July 1, 2021	New section
Sec. 9	July 1, 2021	10a-34(l)
Sec. 10	July 1, 2021	New section
Sec. 11	July 1, 2021	10a-35a
Sec. 12	July 1, 2021	10a-6(a)
Sec. 13	July 1, 2021	New section
Sec. 14	July 1, 2021	31-225a(j)
Sec. 15	July 1, 2021	New section
Sec. 16	October 1, 2021	12-15(b)
Sec. 17	October 1, 2022	10a-223
Sec. 18	July 1, 2021	New section

895

896

897

898899